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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/516,134	03/01/2000	ShaoWei Pan	CE08539R	3918
22917	7590	06/17/2005	EXAMINER	
MOTOROLA, INC. 1303 EAST ALGONQUIN ROAD IL01/3RD SCHAUMBURG, IL 60196			GESESSE, TILAHUN	
			ART UNIT	PAPER NUMBER
			2684	

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/516,134	Applicant(s) PAN ET AL.	
	Examiner Tilahun B Gesesse	Art Unit 2684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-14 are rejected under 35 U.S.C. 102(a) as being anticipated by Chinitz et al (US 5,914,958).

Claim 1 Chinitz discloses a method for assigning a remote unit a channel (see figure 5) within a wireless communication system (figure 5), the method comprising- Chinitz discloses receiving a plurality of uplink transmissions from a plurality of remote units (group A-D) involved in a multicast session "group call"(column 6, lines 58-column 7-line 9). Chinitz discloses determining the remote unit (group A-D) from the plurality of remote units (group A-D), wherein the remote unit is determined based on energy of the remote unit's uplink transmission (column 7, lines 1-10 and figure 5). Chinitz discloses assigning the remote unit a high-data-rate uplink channel based on the determination (a common supplemental channel is assigned to remote (column 7, lines 1-10 and figure 5),.

Claims 2-3, Chinitz discloses receiving the plurality of uplink transmissions from the plurality of remote units comprises the step of receiving a plurality of traffic channel transmissions from the plurality of remote units (column 7, lines 1-10 and figure 5)

Claim 4, Chinitz discloses assigning the remote unit the high-data-rate channel comprises the step of assigning the remote unit a supplemental channel (a common supplemental channel is assigned to remote , (column 7, lines 1-10 and figure 5).

Claim 5 Chinitz discloses receiving data from the remote unit via the high- data-rate channel (a common supplemental channel is assigned to remote , (column 7, lines 1-10 and figure 5) and broadcasting the data to the plurality of remote units via a high-data-rate downlink channel (column 7, lines 1-10 and figure 5).

Claim 6-7, Claim 1 Chinitz discloses a method for assigning a remote unit a channel (see figure 5) within a wireless communication system (figure 5), the method comprising-. Chinitz discloses receiving a plurality of uplink transmissions from a plurality of remote units (group A-D) involved in a multicast session "group call"(column 6, lines 58-column 7-line 9). Chinitz discloses determining the remote unit (group A-D) from the plurality of remote units (group A-D), wherein the remote unit is determined based on energy of the remote unit's uplink transmission (column 7, lines 1-10 and figure 5). Chinitz discloses assigning the remote unit a high-data-rate uplink channel based on the determination (a common supplemental channel is assigned to remote (column 7, lines 1-10 and figure 5),.

Claims 8-9, Chinitz discloses receiving data from the remote unit via the second uplink communication signal (figure 5) and broadcasting the data to substantially all of the plurality of remote units (column 7, lines 1-10 and figure 5)

Claim 10, Chinitz discloses assigning the remote unit a second uplink communication signal comprises the step of assigning the remote unit a high-speed data channel (column 7, lines 1-10 and figure 5).

Claims-11-12, Chinitz discloses the channel circuitry is traffic channel circuitry (figure 5). Claim 13, Chinitz discloses the high-speed data channel is a supplemental channel, column 7, lines 1-10 and figure 5).

Claim 14, Chinitz discloses the remote unit has a highest energy of the i plurality of remote units (column 7, lines 1-10 and figure 5).

Response to Arguments

3. Applicant's arguments filed file 2/17/05 have been fully considered but they are not persuasive.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 571-272-7879. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2684

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


TILAHUN GESESSE
PRIMARY EXAMINER